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SUBJECT: SLOVENIA: LAW ENFORCEMENT AND CT
INFORMATION-SHARING AND DATA PRIVACY ISSUES

REF: A. STATE 8403
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1.(SBU) Emboff delivered ref A demarche to Andrej Slapnicar in the Ministry of Foreign Affairs' (MFA) Security Policy Division. Slapnicar noted Slovenia's efforts during its 2008 EU Presidency to negotiate the details of the High Level Contact Group as an example of Slovenia's recognition of the importance of information sharing. He said that Slovenia is "committed to concluding a binding agreement" on data-sharing, and supports the U.S.-EU agreement on passenger name records (PNR).

2.(SBU) Slovenia's constitution, like that of many other post-Communist countries, includes specific rights on the protection of personal data. This fundamental right was included as a reaction to abuses by the Yugoslav security services, and is still reflected in public mistrust and lack of confidence in public institutions' use of private data (especially by police and intelligence agencies). Public and political opinion also favors individual privacy over national security concerns because the public does not perceive a threat significant enough to warrant broader data sharing for law enforcement or national security reasons. Additional legislation in the past 10 years created the highly-regarded position of Information Commissioner, whose office investigates complaints of public and private misuse of personal data. The current commissioner, Natasa Pirc Musar, is seen as politically neutral and a serious thinker on privacy issues. She began her second, and final 5-year term as commissioner in 2009. Musar's office is active, pursuing and rectifying complaints in senior government circles and even in her own office.

3.(SBU) Cooperation on a bilateral basis at the working level is excellent in areas where formal agreements are in place. HSPD-6 negotiations are currently in progress with the GoS. Based on reports following the most recent meeting between U.S. and Slovene negotiators in October 2009, final ratification should be possible in 2010 if the Ministry of Justice finds a way to accommodate the role of the Information Commissioner and the GoS makes the political decision to shepherd the agreement through Parliament. Post's Regional Security Office also works closely with Slovene law enforcement officials on information sharing relating to several investigations, apprehensions of wanted fugitives, and extraditions.

4.(SBU) Relevant policymakers in the Government of Slovenia include:

Natasa Pirc Musar, Information Commissioner
Suzana Ivanovic, Ministry of Interior's Division for European Affairs and International Cooperation

Andrej Plaustiner, Director of Ministry of Finance Office
for Prevention of Money Laundering

Parliamentary Commission for Intelligence Agencies (and
sensitive data):

Zvonko Cernac
Franci Kek
Dusan Kumer
Anton Anderlic

5.(SBU) Post will continue to engage the Ministries of Foreign Affairs, Interior and Justice on this issue and will report any substantive responses via septel. We will also reach out to the Slovenian members of the European Parliament to address their individual concerns regarding information sharing and data privacy issues with the United States. Embassy Ljubljana's point-of-contact for this issue is Consular Chief Aaron Luster.

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